

**SAFETY INSPECTIONS ON SECONDHAND VEHICLES**

2020 GENERAL SESSION

STATE OF UTAH

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**LONG TITLE****General Description:**

This bill requires safety inspections for used motor vehicles sold by a dealer.

**Highlighted Provisions:**

This bill:

- ▶ requires a used motor vehicle dealer to subject a motor vehicle to a safety inspection before issuing a temporary permit.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**41-3-303**, as last amended by Laws of Utah 2017, Chapter 406

**53-8-205**, as last amended by Laws of Utah 2017, Chapters 149 and 406

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **41-3-303** is amended to read:

**41-3-303. Temporary permits -- Inspections required before issuance.**

(1) Except as provided in Subsections (2) and (3), a dealer licensed in accordance with this chapter may not issue a temporary permit for a motor vehicle under Section 41-3-302

unless the motor vehicle passed an emissions inspection test if required by Section 41-6a-1642.

(2) A dealer may issue a temporary permit without proof of an emissions inspection if:

(a) the motor vehicle is exempt from an emissions inspection under Section

41-6a-1642;

(b) the purchaser is a resident of a county that does not require emissions inspections;

or

(c) the motor vehicle is otherwise exempt from emissions inspections.

(3) A dealer may sell a motor vehicle as is without an emissions inspection if the dealer does not issue a temporary permit.

(4) A dealer licensed to sell used motor vehicles in accordance with this chapter may not issue a temporary permit for a used motor vehicle under Section 41-3-302 unless the used motor vehicle has passed a vehicle safety inspection in accordance with Section 53-8-205 within the previous 180 days.

Section 2. Section **53-8-205** is amended to read:

**53-8-205. Safety inspection required for certain vehicles -- Out-of-state permits.**

(1) (a) A salvage vehicle as defined in Section 41-1a-1001 is required to pass a safety inspection when an application is made for initial registration as a salvage vehicle.

(b) An off-highway vehicle being registered for the first time as a street-legal all-terrain vehicle as described in Section 41-6a-1509 is required to pass a safety inspection when the owner makes the initial application to register the vehicle as a street-legal all-terrain vehicle.

(c) In accordance with Section 41-3-303, a used motor vehicle is required to pass a safety inspection when being sold by a dealer licensed to sell used motor vehicles.

~~[(c)]~~ (d) The owner of a commercial vehicle, as defined in Section 72-9-102, shall:

(i) ensure that the commercial vehicle passes a safety inspection annually; or

(ii) provide evidence of a valid annual federal inspection that complies with the requirements of 49 C.F.R. Sec. 396.17.

~~[(d)]~~ (e) The owner of a vehicle operated by a ground transportation service provider as defined in Section 72-10-601 shall ensure that the vehicle passes a safety inspection annually.

~~[(e)]~~ (f) An owner of one or more of the following types of vehicles shall ensure that the vehicle passes a safety inspection annually:

(i) a motor vehicle with three or more axles, pulling a trailer, or pulling a trailer with multiple axles;

(ii) a combination unit;

(iii) a bus or van for hire; or

(iv) a taxicab.

(2) A safety inspection station shall issue two safety inspection certificates to the owner of:

(a) each motor vehicle that passes a safety inspection under this section; and

64 (b) a street-legal all-terrain vehicle that meets all the equipment requirements in  
65 Section 41-6a-1509.

66 (3) A person operating a motor vehicle required to have an annual safety inspection  
67 shall have in the person's immediate possession a safety inspection certificate or other evidence  
68 of compliance.

69 (4) The division may authorize the acceptance of a safety inspection certificate issued  
70 in another state having a safety inspection law similar to Utah's law.

71 (5) Subject to Subsection 53-8-209(3), a violation of this section is an infraction.